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FIRM/COMPANY: USPTO, Group Art Unit 3742

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TELEPHONE:
FROM: Ruth Der, Paralegal

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DATE: August 12, 2005

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MESSAGE: Attached are *Information Disclosure Statement* inclusive of *Form PTO-1449*.

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AUG 12 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.For: **TISSUE SITE MARKERS FOR IN VIVO
IMAGING**

Serial No.: 10/658,911

Filed: September 10, 2003

Atty. Docket No.: R0367-01601

Examiner: Joseph M. Pelham

Group Art Unit: 3742

TRANSMITTALCERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this these papers are being sent by facsimile to (571) 273-8300, addressed to Mail Stop Amendment, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 12, 2005, in San Francisco, CA.
By: [Signature]

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application are the following:

X Information Disclosure Statement; and
X Form PTO-1449.

2. Payment of Fees Due

X Applicants believe that there is no fee due; however, should the Commissioner find otherwise, the Commissioner is authorized to charge the required fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-01601. A duplicate copy of this transmittal is enclosed for this purpose.

Respectfully,

By: [Signature]

Edward J. Lynch
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INFORMATION DISCLOSURE
STATEMENT

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to bring to the attention of the Patent Office the references listed on the attached PTO-1449 form and request that they be considered by the Examiner. Each item of information contained in the Information Disclosure Statement was cited in the Form PTO-892 from the U.S. Patent Office in a related application not more than three months prior to the filing of this Statement.

Applicants believe that there is no fee due; however, should the Commissioner find otherwise, the commissioner is authorized to charge any fees due and to credit any overpayment of fees associated with this communication which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-01601.

Respectfully submitted,

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